

# United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Samuel Der-Yeghiayan	Sitting Judge if Other than Assigned Judge	
<b>CASE NUMBER</b>	12 C 2669	<b>DATE</b>	5/23/2012
<b>CASE TITLE</b>	Bennie K. Ellison vs. Illinois Dept Of Corrections		

## DOCKET ENTRY TEXT

Motions by petitioner Bennie K. Ellison for leave to file application of extraordinary peculiar emergency [6] and [7] are denied.

■ [ For further details see text below.]

Docketing to mail notices.

## STATEMENT

This matter is before the court on Petitioner Bennie K. Ellison's (Ellison) *pro se* motions. Since Ellison is proceeding *pro se*, the court has liberally construed his motions. On April 11, 2012, Ellison filed a petition for writ of *habeas corpus* (Petition) brought pursuant to 28 U.S.C. § 2254. Ellison had previously filed a *habeas* petition in case number 11 C 6262, and on September 27, 2011, this court dismissed the petition in that case since Ellison had failed to exhaust his state court remedies. On April 23, 2012, the court dismissed without prejudice the Petition since Ellison had still failed to exhaust his state court remedies.

In the instant *pro se* motions, Ellison indicates that the court should allow him to proceed with the Petition, contending that there is an "extraordinary peculiar emergency/urgency," due to reasons such as his contention that the state courts are "aiding and abetting [Ellison's] unconstitutional and unlawful abduction and kidnaping." (5/14/12 Mot. 1). Ellison has not shown that his Petition should be reinstated or that the court erred in dismissing the Petition.

<b>STATEMENT</b>
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<p>Ellison's motions and the attached documents merely reaffirm that he is currently seeking relief from the state courts and has not exhausted his state court remedies. Ellison also requests a "stay of execution," apparently of certain state court orders, and the "immed[iate] release" of information possessed by the public defender. (5/3/12 1). Ellison has not presented any valid basis for relief before this court in the instant motions, and the instant motions are therefore denied.</p>
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